

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

TRACY M. FINLAN,)
)
Plaintiff,) 4:05CV3127
)
vs.) ORDER
)
STATE OF NEBRASKA DEPARTMENT)
OF CORRECTIONS MEDICAL)
DEPARTMENT,)
)
Defendant.)

This matter is before the court on filing no. 9, the motion for extension of time to pay filing fee filed by the plaintiff. In filing no. 6, this court ordered the plaintiff to pay his \$8.31 initial partial filing fee to the Clerk of Court by July 11, 2005. In his motion, the plaintiff has explained problems he has experienced in paying his filing fee. After review of the record, it appears that the plaintiff has paid \$4.36 of the initial partial filing fee (filing no. 8). That leaves a remainder of \$3.95 for the plaintiff to pay. Because of the plaintiff's showing of good cause in his motion, the plaintiff's case will not be dismissed for nonpayment of the total initial partial filing fee by the original deadline, and any necessary extension of time is hereby granted. In general, a plaintiff's case will not be dismissed for nonpayment without a considerable period of prior notice and an opportunity to request additional time.

Filing no. 9 is granted. The remainder of initial partial filing fee, \$3.95, shall be paid on or before September 22, 2005, unless a timely motion for an extension of that deadline is granted.

SO ORDERED.

DATED this 26th day of August, 2005.

BY THE COURT:

S/F.A. GOSSETT
United States Magistrate Judge